ATTORNEY DOCKET NO.: MBM1270

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Pandian et al.

Art Unit:

1634

Application No.:

09/940,296

Examiner:

B.J. Forman

Filed:

August 27, 2001

Conf. No.:

7256

Title:

METHOD OF AMPLIFICATION FOR INCREASING THE SENSITIVITY

OF DETECTING NUCLEIC ACID-PROBE TARGET HYBRIDS

Mail Stop AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the aboveidentified application. For the convenience of the Examiner, these references are listed on the attached Form PTO-1449 and copies are enclosed herewith.

It is respectfully requested that these references be considered in the examination of this application and their consideration be made of written record in the application file.

01/04/2005 AWDNDAF1 00000009 09940296

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CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, December 28, 2004, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Aldon Griffis

(Name of Person Mailing Paper)

December 28, 2004

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104691-7

In re Application of:

Pandian et al.

Attorney Docket No.: MBM1270

PATENT

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Enclosed is Check No. 571718 in the amount of \$405.00 consisting of \$225.00 for the Two (2) Months Extension of Time fee and \$180.00 for the Information Disclosure Statement fee. The Commissioner is authorized to charge any other fees associated with the filings submitted herewith, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: December 28, 2004

Lisa A. Hayle, J.D., Ph.D. Registration No.: 38,347 Telephone: (858) 677-1456 Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Docket No.: MBM1270	Serial No.: 09/940,296	
	Applicants: Pandian et al.		
INFORMATION DISCLOSURE STATEMENT BY APPECANT	Filing Date:	Group Art Unit:	

DEC 3 0 2004

U.S. PATENT DOCUMENTS

INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	4,683,105	07/28/87	Hager	376	259	10/31/85
	AB	4,683,202	07/28/87	Mullis	435	91	10/25/85
	AC	4,716,106	12/29/87	Chiswell	435	6	02/28/85
	AD	4,731,325	03/15/88	Palva et al.	435	6	01/24/85
	AE	4,868,105	09/19/89	Urdea and Warner	435	6	12/11/85
	AF	4,882,269	11/21/89	Schneider and Shenk	435	6	12/11/86
	AG	5,030,722	07/09/91	Snyder et al.	536	27	03/30/88
	AH	5,084,565	01/28/92	Parodos et al.	536	27	08/18/88
	AI	5,124,246	06/23/92	Urdea et al.	435	6	04/18/89
·	AJ	5,175,270	12/29/92	Nilsen and Prensky	536	27	09/10/86
	AK	5,200,313	.04/06/93	Carrico	435	6	04/25/88
	AL	5,424,413 .	06/13/95	Hogan et al.	536	24.31	09/04/92
	AM	5,437,977	08/01/95	Segev	435	6	05/29/92
	AN	5,627,030	05/06/97	Pandian et al.	435	6	07/15/94
	AO	5,695,936	12/09/97	Mandrand et al.	435	6	09/15/94

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Docket No.: MBM1270	Serial No.: 09/940,296
DEC 3 0 2004 2	Applicants: Pandian et al.	
INFORMATION DISCLOSURE TATES ENT BY APPLICANT	Filing Date: August 27, 2001	Group Art Unit: 1634

FOREIGN PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
	AP	WO 84/03520	09/13/84	PCT	C12Q	1/68	No
	AQ	0 146 039 A3	06/26/85	EPO	C12Q	1/68	No
	AP	0 153 873 A2	09/04/85	ЕРО	C12Q	1/68	No
	AS	0 144 913 A3	06/19/85	ЕРО	C12Q	1/68	No
	AT	DE 3420925 A1	12/05/85	DE	C12Q	1/00	No
	AU	0 204 510 B1	12/10/86	EPO	C12Q	1/68	No
	AV	0 225 807 A2	06/16/87	EPO	C12Q	1/68	No
	AW	WO 87/03622	06/16/87	PCT	C12Q	1/68	No
	AX	WO 90/13667	11/15/90	PCT	C12Q	1/68	No
	AY	2,039,517	04/10/91	Canada	C12Q	1/68	No
	AZ	0 450 594 B1	10/09/91	EPO	C12Q	1/68	No
	BA	WO 93/13226	07/08/93	PCT	C12Q	1/68	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

ВВ	Blais, "Transcriptional Enhancement of the <i>Listeria monocytogenes</i> PCR and Simple Immunoenzymatic Assay of the Product Using Anti-RNA:DNA Antibodies," <i>Applied and Environmental Microbiology</i> , 60(1):348-352, American Society for Microbiology (1994).
ВС	Blais and Phillippe, "A Simple RNA Probe System for Analysis of Listeria monocytogenes Polymerase Chain Reaction Products," Applied and Environmental Microbiology, 59(9):2795-2800, American Society for Microbiology (1993).

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GT\6428492.1 104691-7	

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DEC 3 0 2004 \$	Applicants: Pandian et al.	
INFORMATION DISCLOSURE TATEMENT	Filing Date:	Group Art Unit:
BY APPLICANT	August 27, 2001	1634

BD	Fliss et al., "Production and Characterization of Anti-DNA-RNA Monoclonal Antibodies and Their Application in <i>Listeria</i> Detection," <i>Applied and Environmental Microbiology</i> , 59(8):2698-2705, American Society for Microbiology (1993).	
ВЕ	Gyllensten, "PCR and DNA Sequencing," <i>BioTechniques</i> , 7(7):700-706 (1989).	
BF	Lizardi et al., "Exponential Amplification of Recombinant-RNA Hybridization Probes," Biotechnology, 6:1197-1202 (1988).	
BG	Matthew and Kricka, "Analytical Strategies for the Use of DNA Probes," <i>Analytical Biochemistry</i> , 169:1-25, Academic Press, Inc. (1988).	
ВН	Nakazato, "Fractionation and Characterization of Antibodies Elicited by øX174 Deoxyribonucleic Acid-Ribonucleic Acid Hybrid," <i>Biochemistry</i> , 19:2835-2840, American Chemical Society (1980).	
BI	Stollar and Rashtchian, "Immunochemical Approaches to Gene Probe Assays," Analytical Biochemistry 161:387-394, Academic Press, Inc. (1987).	
ВЈ	Stratagene Catalog, "Gene Characterization Kits," p. 39 (1988).	
ВК	Wang et al., "16S rRNA-Based Probes and Polymerase Chain Reaction Method to Detect <i>Listeria monocytogenes</i> Cells Added to Foods," <i>Applied and Environmental Microbiology</i> , 58(9):2827-2831, American Society for Microbiology (1992).	

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